

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:10-CT-3166-BO

CHAD BUMGARNER, et al,
Plaintiffs,

v.

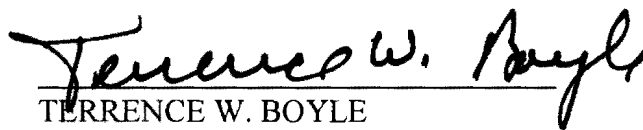
NCDOC, et al.,
Defendants.

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ORDER

This class action was settled by approval of a Stipulated Consent Decree on August 25, 2013. Order, D.E. 214. Prior to the entry of the decree, as directed by Rule 23 of the Federal Rules of Civil Procedure, a fairness hearing was held which reviewed the decree and addressed objections and issues raised by the plaintiff class. Order, D.E. 76; Minutes from Hearing, D.E. 210. The decree also set a status conference for February 18, 2014. Order, D.E. 214. Lowell Varney, an inmate within the North Carolina Department of Public Safety, has now filed a motion within this action entitled "Motion to be Heard" which he filed October 25, 2013. D.E. 219. Having entered into a consent decree, any individual seeking relief which raise these settled issues, must do so in a separate lawsuit. Therefore, the motion [D.E. 219] is DENIED as it applies to this suit. Individuals shall not be barred from filing separate and distinct suits. The Clerk is DIRECTED not to accept additional filings in this action from individuals, other than through counsel in this suit, given the posture of the matter and the entry of the joint decree.

SO ORDERED, this the 1 day of ~~October~~ ^{November} 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE